

THE EFFECTIVE DATE OF THIS ORDINANCE IS JULY 1, 2008

ORDINANCE NO. 08-15-491

RE: Increased Impact Fees

PREAMBLE

Pursuant to Article 25, Section 9J, Annotated Code of Maryland, the Board of County Commissioners of Frederick County is authorized to fix, establish, impose and collect development impact fees to finance, in whole, or in part, the capital costs of additional or expanded public works, improvements, and facilities which are necessary to accommodate new construction or development.

By Ordinance No. 00-30-272 effective January 1, 2001, the Board of County Commissioners revised the then existing Impact Fee Ordinance and imposed such impact fees for public schools and libraries. *Frederick County Code Chapter 1-22.*

By Ordinance No. 03-16-339, effective December 15, 2003, and Ordinance No. 06-19-415, effective July 1, 2006, the Board of County Commissioners increased the impact fees.

Pursuant to the annual adjustment provisions of the Development Impact Fee Ordinance, Sections 1-22-13 (Public Schools) and 1-22-23 (Library) the impact fees have been automatically adjusted in those years when a study update was not performed. In 2008, the County's Finance Division performed an Impact Fee Study Update which was presented to and accepted by the Board of County Commissioners.

With the annual adjustments, the current public school development impact fees are: for Single Family Detached: \$12298; for Townhouse/Duplex \$10064; and for Other Residential (including mobile homes): \$1963.

With the annual adjustments, the current library development impact fees are: for Single Family Detached: \$823; for Townhouse/Duplex: \$768; and for Other Residential (including mobile homes): \$517.

The Board of County Commissioners desires to increase the public school development impact fees and adjust the library development impact fees in lieu of the automatic annual adjustment for July 1, 2008.

The County Commissioners held a duly advertised public hearing concerning this Ordinance on Thursday, June 12, 2008. The public had an opportunity to comment on this Ordinance at this public hearing.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY, MARYLAND, that Sections 1-22-12 and 1-22-22 of the Frederick County Code are hereby amended to read as follows:

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CAPITALS AND/OR UNDERLINING INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.

ARTICLE II. PUBLIC SCHOOL DEVELOPMENT IMPACT FEE

Sec. 1-22-12. Amount of impact fee.

All new residential development in the service area shall be subject to the payment of a public school development impact fee payable at the time of issuance of a building permit/zoning certificate by the county or a municipality, as applicable, pursuant to this Chapter 1-22 as follows:

<i>Residential Development</i>	<i>Impact Fee Per Dwelling Unit</i>	
Single-Family Detached,	[\$10,868.00]	<u>\$12,963.00</u>
Townhouse/Duplex	[\$8,894.00]	<u>\$11,113.00</u>
All Other Residential (including mobile homes)	[\$1,735.00]	<u>\$2,129.00</u>

ARTICLE III. LIBRARY DEVELOPMENT IMPACT FEE

Sec. 1-22-22. Amount of impact fee.

All new residential development in the service area shall be subject to the payment of a library development impact fee payable at the time of issuance of a building permit/zoning certificate by the county or a municipality, as applicable, pursuant to this chapter 1-22, as follows:

<i>Residential Development</i>	<i>Per Dwelling Unit</i>	
Single-Family Detached	[\$727.00]	<u>\$770.00</u>
Townhouse/Duplex	[\$679.00]	<u>\$720.00</u>
All Other Residential (including mobile homes)	[\$457.00]	<u>\$484.00</u>

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CAPITALS AND/OR UNDERLINING INDICATE MATTER ADDED TO
EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

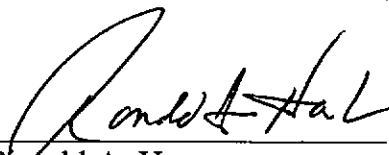
AND BE IT FURTHER ENACTED AND ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY, MARYLAND, that the impact fee adjustments enacted by this Ordinance are in lieu of the automated annual adjustments provided in § 1-22-13 and § 1-22-23 so that no such automatic annual adjustments shall occur on July 1, 2008.

AND BE IT FURTHER ENACTED AND ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY, MARYLAND, that this Ordinance shall take effect on July 1, 2008 and pursuant to Frederick County Code Section 1-22-4(B)(8): "the amount of the development impact fee due is the amount of the development impact fee in effect on the date of issuance of the building permit/zoning certificate."

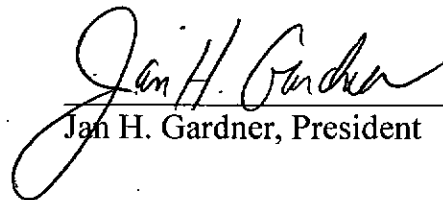
The undersigned hereby certifies that this Ordinance was approved and adopted on the 12 day of June, 2008.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF FREDERICK COUNTY, MARYLAND



Ronald A. Hart
County Manager



Jan H. Gardner, President

UW 6/13/08

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CAPITALS AND/OR UNDERLINING INDICATE MATTER ADDED TO EXISTING LAW.

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